24th Council of Europe Conference of Directors of Prison and Probation Services

"Offender Management: Tradition and Technology"

(21-22 May 2019, Ayia Napa, Cyprus)

Summary and Conclusions

Dominik Lehner, Chair of the Council for Penelogical Co-operation (PC-CP)

The conference was hosted by the Cyprus Prison Services and took place in Ayia Napa, Cyprus. Over 140 participants visited the conference that began with opening and keynote speeches followed by six different workshop sessions with up to three input presentations in each session.

Conference Opening

Anna Aristotelous, Director of the Prisons Department, Cyprus, chaired the opening session pointing out how strongly the development of the prison service in Cyprus was related to the work of the Council of Europe in the penitentiary field.

Minister of Justice and Public Order of Cyprus, *Ionas Nicolaou*, opened the conference with a warm welcome. He drew attention to the importance of coordination of prison and probation work amongst the Council of Europe member States, underlining the significance of respecting human rights at all times. Minister *Nicolaou* that for the Cyprus Prison System respect of human rights,and the dignity of prisoners, guarantee of medical care, respectful treatment and protection of vulnerable groups are considered crucial. New technologies help provide education in prisons and help control them and fight prison overcrowding.

Jan Kleijssen, Director, Information Society and Action against Crime Directorate, Council of Europe showed the use of prison robots and asked the question of how such new technologies can be used while maintaining the Council of Europe's core values and respecting the primary importance of the human factor in working with offenders. He considered artificial intelligence to be a good collaborator but most likely an undesirable boss.

Keynotes

Victoria Knight, Senior Research Fellow, De Monfort University, United Kingdom led back to early prison traditions (the birth of the modern prison) based on the idea of deliberately disabling

prisoners' interaction, keeping them separate from each other, penitent and silent in a non-
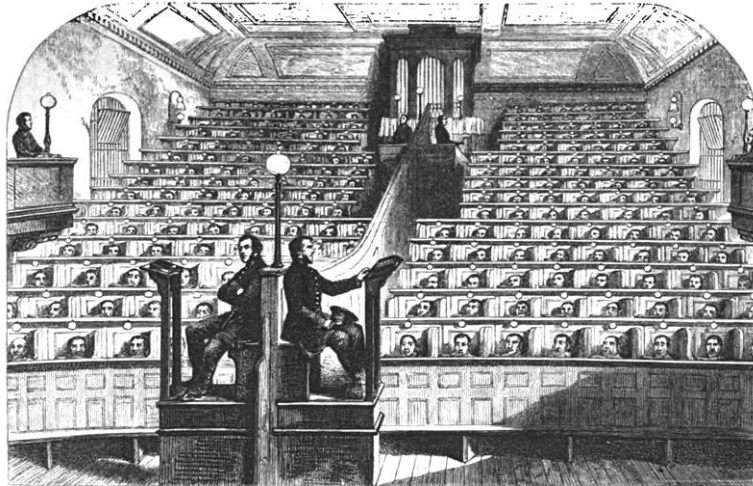
THE CHAPEL, ON THE "SEPARATE SYSTEM," IN PENTONVILLE PRISON, DURING DIVINE SERVICE.

communicational environment.

She stated that at a later stage this fear and anxiety of giving prisoners access to the outer world made it hard for new technologies like the television to be introduced in prisons. Luckily today it is widely recognized that architecture and technology can lead to inducing and managing change in prisoners. There is a digital maturity of the services, in the sense of being aware where and how new technology can be used for more efficiently achieving their goals.

Steven Van De Steene, Smart Corrections, Belgium pointed out that technology is never neutral. Its use regularly leads to moral and ethical questions where there is no black or white, no "yes" or "no" answers. Technology can help do things better, but it can also force society constantly to use new technology for improving ourselves. Innovation starts with imagination.

Annie Devos, Director General, Houses of Justice, Belgium stated the necessity to clarify definitions, because the world we are living in has become more and more complex and we must remain focused on the aims of our work: rule of law, retribution, rehabilitation, incapacitation. Definitions send political messages. Managing the data makes us responsible for their use. Algorithms are not equivalent to truth; they are a construction and often a black box. Prisons and probation are facing ethical challenges in the ways they operate, because there is always a human being behind the data. We are obliged to use new technology professionally and complimentary without replacing the human contact and interaction. Not all tasks should be automated. We must be aware that there is a private industry with its own interests standing behind many products. So we must stay in charge of the purpose of our work, keeping in mind our values and our aims.

Jan-Erik Sandlie, Deputy Director General of the Correctional Service Norway explained how budget cuts agitated worries about prison work in Norway but also aggravated discussions concerning the use of new technologies, similar to the discussions at electronic monitoring conferences during the first years of its introduction. Using technology wisely is about balancing dilemmas. So where technology leads to small revolutions like the Norwegian success story of electronic monitoring on the one hand, new technologies lead to new risks and types of crime like cyber related crimes. The use of new technologies like the detection of respiration in a prison cell is innovative, can help prevent suicide and inter-personal violence and may one day become a standard.

Marjorie Bonn, CDPC member and Senior Legal Adviser of the Ministry of Justice and Security of the Netherlands referred to the High Level Conference on Prison Overcrowding that had recently been held in Strasbourg, which initiated a dialogue and cooperation between

prosecutors, judges, prison and probation services in order to successfully combat prison overcrowding by making wiser and more efficient use of the whole panoptic of penal sanctions and measures and by using imprisonment only as a measure of last resort. More data and information about crime rates and prison rates may influence better management of sentencing policies Apparently there is need of intensive and constant inter-agency exchange. She underlined that prison overcrowding takes a prisoner's dignity instead of liberty due to poor and inhuman prison conditions.

Workshops

Workshop I

Jorge Monteiro, Centre of Competences, Programmes and Projects, Prison Administration, Portugal discussed the worrying numbers of suicides in prison as the major cause of violent death in prisons worldwide. The identification of an inmate's risk for suicide requires specific preparation and training of prison staff enabling to identify the risk factors early enough. There is a need for an interdisciplinary approach in this area.

Maud Dayet, Head of Service, Directorate of Prison Administration, France stated that France was carefully monitoring the number of suicides in prisons, gathering information on where, when and how to enable better prevention by recognizing and preventing the main risk factors leading to suicide.

Athena Demetriou, Acting Senior Prison Officer and *Dr. Agathi Valanidou*, Psychiatrist, Cyprus pointed out the need of a national suicide prevention strategy enabling staff to identify the risk factors on two levels: individual risk factors, prison risk factors and their combination. Cyprus Prisons Department had introduced a new system of prison management, including suicide prevention at the admission phase already which had led dealing away with suicides during the last few years (several years without a suicide and only one in 2018).

WORKSHOP II

Maria Anagnostaki, criminologist, scientific advisor at the office of the Secretary General for Crime Policy, Greece illustrated the new strategic plan (2018) for the Greek penitentiary system. Systemic overcrowding and poor political and administrative management, has had long term effects on the operation of prisons and on the morale of prison staff. Combating overcrowding with the help of strategies developed by the Council of Europe is a main issue.

Maria Lindström, Liaison and Policy Officer (CEP), Sweden presented the vision Sweden has for a modern probation service: evidence based, using the risk-need-responsivity theory and training probation officers to become role models for offenders inducing change in them.

Dr Geraldine O'Hare, Director of Rehabilitation, Probation Board & Paul Doran, Director of Rehabilitation, Prison Service, United Kingdom (Northern Ireland) impressively showed the impact of the Northern Ireland conflict had on their penitentiary system and on their justice system as a whole. Nevertheless probation's aim and vision is to assist all offenders in leading a purposeful life and in becoming law-abiding citizens.

WORKSHOP III

Håkan Klarin, Prison and Probation Service, Sweden illustrated a balanced triangle between working with inmates, use of digital resources and security. One example is electronic monitoring used for many years now which is being updated with GPS-satellite tracking.

Penitentiary systems are complex and it is a challenge to use new technologies and innovation. An interesting example of the use of smart textiles was illustrated.
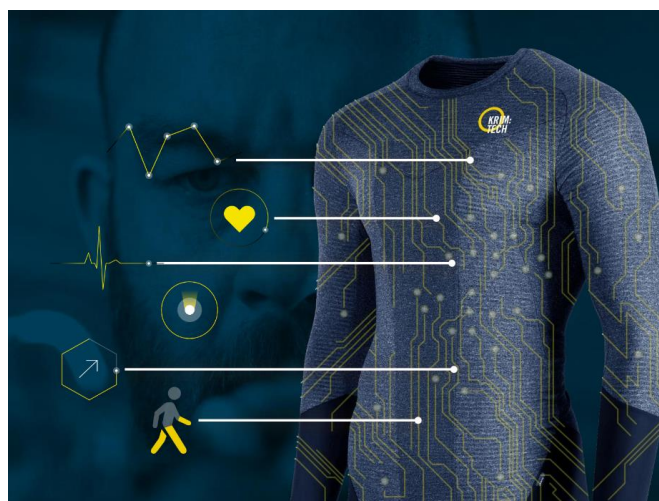
Michael Braunschweig, MD, Prison service, Canton of Zürich, Switzerland started with e historical example of the first cars: the so-called 'red flag act' requiring a three-person crew for self-propelled vehicles, a driver, a striker and a man walking 60 yards in front of the vehicle with a red warning flag to warn pedestrians. He thus illustrated how some innovations got started. He argued that with the creation of the worldwide web, society would be confronted with dealing with huge amounts of data and data protection. Often different maxims clash, like the maxim of medical confidentiality with the need for information to the wellbeing of the patient or the interest of third parties.

Steven Van De Steene, Smart Corrections, Belgium spoke about digital maturity of judicial organisations. Digitalisation requires regulation so the concept of privacy can be protected. But how far should data protection go? A workshop participant had the impression that Europe may be becoming more a target for terrorists, because terrorists hide behind the General Data Protection Rules.

WORKSHOP IV

Pedro Ferreira Marum, Deputy Director General, Houses of Justice, Belgium stated that we have visions and we have missions but we also have goals like respecting human rights. As professionals we need to measure our outcome, our success and our failure. We need the new technologies available, we need the knowledge they provide us with, including artificial intelligence which can help against bias. And it can replace repetitive jobs, drive cars, translate etc. giving us more resources for desirable activities.

Geert Mol & Deborah Thompson, Reclassering, The Netherlands showed how algorithms can be based on a large amount of knowledge. It is essential that artificial intelligence is provided with clear rules and definitions so that a robot is aware that a pen is not merely a pen but can also be used as a stabbing weapon. For probation work this means artificial intelligence must be based on probation reports, criminal records, sentencing information, psychiatrist information etc. Our brain is biased, we think in a systemic way and we are not observant of details which we consider less important. In conclusion we should be aware that there are tasks that require that we think out of the box.

WORKSHOP V

Benny Goedbloed, Prison Administration, Belgium explained that there are good and bad examples of using new technologies. Bad ones like using electro shocks and good ones like using artificial intelligence for the cell allocation of prisoners enabling ideal combinations and ensuring safety and security.

J*an Steven Van Wingerden*, CEO (ODSecurity.com), The Netherlands informed about the worldwide trend of using body scanners. The use of a body scanner minimizes the need for prison staff to do repetitive and intrusive body searches of prisoners and visitors. But a body scan is also intrusive and the data resulting from it need to be managed in accordance with data protection rules. Needless to say users of body scans need to be licenced and the use of the scanner needs to be clearly regulated.

WORKSHOP VI

Jason Morris, Her Majesty's Prisons and Probation Service, United Kingdom showed the development from the use of traditional clinical tools for offender behaviour programs to the digitalisation of clinical tools like video conferencing, online courses, gaming and the use of digital media like explainer clips or even using cartoons.

Satu Rahkila, RISE Criminal Sanction Agency, Finland presented a pilot project using artificial intelligence in Vainu prison. The pilot was launched in March 2019 and it involves two closed prisons, which have ten workstations in all assigned for the work at the moment. The prisoner uses a computer, which is in a so-called kiosk mode and can only access a micro task application for an outside company he is working for.

Athena Demetriou, Acting Senior Prison Officer and *Dr. Agathi Valanidou*, Psychiatrist, Cyprus showed the work with specific groups of offenders in Cyprus respecting risk assessment and risk management methods and offering a multi-disciplinary approach to treatment with programs and measures during the prison regime and during the rehabilitation and reintegration phase.

Side Event

Marcello Aebi, Professor at the University of Lausanne, Switzerland presented the latest SPACE II data (2018), widely used by practitioners as bench marks and other for comparisons. In 2018 there were over 1.8 Million offenders under the supervision of probation services in Europe. Community sanctions and measures have increased in the last years and in most countries the rate of offender population under probation is higher that the prison population. He also made some comparisons between the rates of imprisonment and the rates of offenders under supervision in the community arguing that in the different countries both of these rates are high or low or a combination of high rates of probation with low rates of imprisonment or vice versa. These comparative data can help the national authorities in reviewing their penal policies and in initiating criminal and penal reforms as needed.

Conclusions

Not surprisingly the need for change and the adaption to change seemed to be the key words of a conference dealing with tradition and new technologies in offender management. There is no need for anxiety. We should use the possibilities offered by the use of new technologies. But we must always use them wisely, meaning consciously and with the necessary caution of unexpected risks. We should use new helpers, not create new bosses. We should not let innovation chase us into loosing track of our primary goals and core values. The way we do things often has a bigger influence on the result that we anticipate. Artificial intelligence can be

used in the penal and penitentiary field, if it is non-biased. To be able to guarantee this, it must be combined with other methods that ensure it is adequately under control, in full respect of justice and human rights and the human factor is maintained as the primary change-inducing factor. Although artificial intelligence can process far higher amounts of data and far quicker than the human brain can, it is by far not capable of producing what we call "feelings" and "attachments" even if we ourselves tend to develop feelings to the machines. But imagine how sad the world would be if the only one you were communicating with on your I-phone was SIRI…